

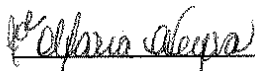
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,)
)
v.) **No. 08-CR-181**
)
MARIO S. LEVIS,)
a/k/a "Sammy Levis,")
_____)

**MOTION TO DISMISS THE SUPERSEDING INDICTMENT BASED
ON A VIOLATION OF HIS RIGHTS TO A SPEEDY TRIAL**

Defendant Mario Levis, through counsel, and pursuant to 18 U.S.C. §3161, the Due Process Clause, and Fed. R. Crim.P. 48(b)(3), respectfully moves this Court for an Order dismissing the Superseding Indictment with prejudice. Mr. Levis requests an evidentiary hearing on this motion. In support of this motion, Mr. Levis is filing herewith a memorandum of law with accompanying exhibits.

Respectfully submitted,



ROY BLACK, ESQ.

(FL Bar No. 126088)

HOWARD M. SREBNICK, ESQ.

(FL Bar No. 919063)

MARIA D. NEYRA, ESQ.

(FL Bar No. 074233)

Black, Srebnick, Kornspan & Stumpf, P.A.

201 South Biscayne Blvd., Suite 1300

Miami, Florida 33131

Tele: (305) 371-6421

Rblack@RoyBlack.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on March 11, 2010 my office hand delivered the foregoing document with the Clerk of the Court and forwarded the foregoing document via hand delivery to:

William Stellmach, AUSA
U.S. Attorney's Office
Southern District of New York
1 St. Andrews Plaza
New York, NY 10007
William.stellmach@usdoj.gov

Jason Anthony, AUSA
U.S. Attorney's Office
Southern District of New York
1 St. Andrews Plaza
New York, NY 10007
Anthonyj@sec.gov

Daniel Braun, AUSA
U.S. Attorney's Office
Southern District of New York
1 St. Andrews Plaza
New York, NY 10007
Daniel.Braun@usdoj.gov